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DEFENSE DIPLOMACY IN RESOLVING THE PROBLEM OF INDONESIA'S TERRITORIAL BOUNDARIES WITH MALAYSIA IN TANJUNG DATU

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Abstract

Based on the fact that as an archipelago, Indonesia shares borders with neighboring countries in Southeast Asia. With a large number of territorial borders of Indonesia and other countries, it has resulted in various cooperative relationships or various border problems between Indonesia and these neighboring countries. The purpose of this study was to determine the form of defense diplomacy and its analysis to include the Tanjung Datu Phase as the Indonesia-Malaysia Outstanding Boundary Problem (OBP). The writing method used is qualitative, wherein in this analysis, the writer does not make calculations. The findings of this study are the subject of Indonesia's defense diplomacy to include the Tanjung Datu Phase as OBP Indonesia-Malaysia, namely the national regional coordination committee (*Pankorwilnas*), Directorate of Topography of the Army, Ministry of Defense, Ministry of Home Affairs, and Outstanding Boundary Problem (OBP). Meanwhile, the object of Indonesia's defense diplomacy to include the Tanjung Datu Phase as OBP Indonesia-Malaysia is in the form of Indonesia's goal, namely as the implementation of national interests in achieving its territorial sovereignty, and this is included in the scope of the defense.

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INTRODUCTION

Indonesia is the fourth largest and most populous archipelagic country in the world where there are more than 13,000 islands with a population of more than 270 million people (Central Bureau of Statistics, 2020). As an archipelago, Indonesia shares borders with neighboring countries in Southeast Asia, namely Malaysia,

Singapore, Timor Leste, the Philippines, Papua New Guinea, Australia, and the united Andaman and Nicobar Islands territories in India. The area bordering Indonesia is a neighboring country as a whole stretch from the east coast of Sumatra, the Kalimantan land border, the North Sulawesi sea border, the North Maluku, and Central Halmahera areas, as

well as the land border between Jayapura and Merauke in Papua. With a large number of territorial borders of the State of Indonesia and other countries, it has resulted in various cooperative relationships between Indonesia and these neighboring countries.

The land border between Indonesia and Malaysia has a length of $\pm 2,004$ km stretching from Tanjung Datu in the west to the east coast of Sebatik Island in the east. The delimitation of land boundaries with Malaysia refers to the boundary agreement between the British Government and the Government of the Netherlands Indies (Atika & Afrizal, 2017), as well as the Memorandum of Understanding (MOU) land boundaries between Indonesia and Malaysia 1973-2006. Meanwhile, the joint demarcation of the two countries began in 1973, where up to 2009 there were 19,328 border monuments, complete with coordinates. The Indonesia-Malaysia land boundary delimitation, which is mostly in the form of watersheds (mountain ridges or hills, or water dividing lines) has been completed, but demarcation still leaves 9 Outstanding Boundary Problems (OBP). Overall, of the 9 OBPs, it appears that 7 OBPs are problems that harm the Malaysian side, while 2 problems are detrimental to Indonesia. One of the problems in Tanjung Datu started with the measurement and confirmation of international boundaries that were carried out in 1975 and 1976. The problem is that the measurement technique is inappropriate.

The resolution of Indonesia-Malaysia land border issues has been handled through three institutions, namely (1) Indonesia-Malaysia General Border Committee (GBC) coordinated by the Ministry of Defense, (2) Indonesia-Malaysia Joint Commission Meeting (JCM), coordinated by the Ministry of Foreign Affairs, and (3) the Technical Survey and Demarcation Sub-Commission is coordinated by the Ministry of Home Affairs to deal with Outstanding Border

Problems (OBP), a Joint Working Group has been formed between the two countries.

Development of Conflict

Starting from the process of determining the demarcation area survey in 1973, where Indonesia and Malaysia have agreed to adhere to the agreement agreed upon between the Netherlands and England in 1891, that both parties agreed to use the water shade method in determining the boundaries of their respective territories. After the survey and demarcation process was completed, the two countries agreed to put the agreement between Indonesia and Malaysia into the MoU. Both Indonesia and Malaysia agreed to choose the MoU as a joint legal instrument with a boundary demarcation agreement because it was considered simpler and faster. Initially, there was no problem, Indonesia did not raise any objections to (straight line boundary), until finally the MoU was signed on 23 August 1976 in Kinabalu, Sabah, Malaysia (JPNN, 2011).

The MoU on the border between Indonesia and Malaysia in determining the boundaries of the territorial boundaries in Tanjung Datu, West Kalimantan has been agreed again. After considering that time and there were no problems that disturbed Indonesia's interests. Each country signed an agreement in Semarang on 18 November 1978 as outlined in the Memorandum of Understanding of Demarcation Survey of International Boundary between the Government of Indonesia and the Government of Malaysia 1976 (Fatmasari, 2018).

However, after the agreement came into effect, Indonesia again conducted a review and conducted a follow-up survey regarding the boundary markers in Tanjung Datu in 1973, repeated in 1976, and in 1978 the results were identical. In the demarcation process, there was no problem, but during a follow-up survey regarding the boundary markers of the Tanjung Datu area in 2001, it was found

that Malaysia's territory was more indented to Indonesia, so in this case, it was considered more detrimental to Indonesia (Istiqomah, 2017).

The point of the line was already known when the survey was conducted in 1976, then it was studied for two years by the Indonesian survey team when it was agreed in the 1976 MoU. However, this MoU was disputed because at that time the two countries agreed to use the water shade method, it turned out that after further research was carried out on the Tanjung Datu area, using aerial photography, it was found that the results of the research showed that the land surface in Tanjung Datu was geomorphologically flat, not mountainous. So that this method is detrimental to the Indonesian side. Therefore, Indonesia proposed to conduct a review of the border agreement and officially conveyed the problems in Tanjung Datu to Malaysia and at the same time asked to be included as Outstanding Boundary Problems (OBP). In 2011, a renegotiation was carried out on the problems that occurred in 2001 related to Indonesia which wanted a review or cancellation of the 1976 MoU which was concluded by the ministry to resolve the dispute (Rachmawati & Dewi, 2020).

Development Policy

Past policies that have not been in favor of underdeveloped and isolated areas during the beyond few years the border hassle has now no longer obtained sufficient interest from the government. This is reflected in improvement regulations that pay much less interest to the border area and are extra directed closer to regions that are densely populated, have smooth access, and potential, whilst improvement regulations for remote, and underdeveloped regions along with border regions have now no longer been prioritized.

The Absence of a National Policy and Strategy for the Development of Border Areas

The 1999–2004 State Policy Outline (GBHN) has mandated a policy direction for the development of border areas, namely "increasing development in all regions, especially in Eastern Indonesia, border areas and other underdeveloped areas based on the principles of decentralization and regional autonomy". Likewise, the National Development Program (*Propenas*) 2000–2004 states "the development program for border areas aims to improve the standard of living and welfare of the community, increase the potential management capacity of border areas, and strengthen order and security in areas bordering other countries". The targets are the realization of an increase in socio-economic life and social resilience of the community, management of regional potential, and order and security in border areas.

So far there has not been a national policy that contains directions, approaches, and strategies for developing border areas that are comprehensive and integrate the functions and roles of all stakeholders in the border area, both at the central and regional levels, in a comprehensive and integrated manner. This has resulted in the handling of border areas being neglected and partial.

METHODS

In this study, the Author used data obtained from library studies, where this study was interpreted as a series of library data collection activities, reading and recording, and processing research material (Zed, 2003:3). In this study, some of the data collected were about the main principles of national defense, the theory of digital literacy, and government program guidelines regarding digital literacy and literacy that are in force today.

Empirical data in the form of important secondary data about the condition of the Indonesian society was obtained from scientific papers written by several previous researchers.

This research design used qualitative methods. Qualitative research is a method for exploring and understanding meaning ascribed to social or humanitarian problems (Creswell, 2012:4). While Moleong defines qualitative research as a type of research that emphasizes drawing conclusions based on interpretations of phenomena or facts (Moleong, 2009). Based on the two definitions above, this research can be categorized as a qualitative study because the problem raised was derived from social phenomena and draws conclusions at the end of the discussion based on solving the phenomenon problems associated with the theories used in the research methodology.

In this study, the author himself was the main data collection tool, so that some adjustments could be made when collecting data analysis data (Moleong, 2001). While the data obtained were analyzed using inductive analysis, to be able to discover the multiple realities contained in the data, to be able to describe the setting in full, be able to find shared influences that sharpen the relationship, and be able to calculate values explicitly (Moleong, 2001). In this study, the application of this analysis was done by confronting the current condition of the community with the threats that will be faced.

RESULT AND DISCUSSION

Indonesian Diplomacy in Efforts to Include the Tanjung Datu Phase as OBP Indonesia-Malaysia

Indonesia has by no means officially conveyed the difficulty of the Tanjung Datu phase after the signing of the 1978 MOU. Discussions at the Tanjung Datu phase have been handiest mentioned internally in the Report at the Results of the Working Group Discussion at the

Issues of Border Confirmation among Indonesia and Malaysia on May 14, 1983. According to Brigadier General Makmur Supriyatno, the assembly The annual Joint Border Committee or General Border Committee additionally by no means mentioned the Tanjung Datu phase and that is tested via way of means of no report in any Minute of Meeting of the Joint Border Committee (Hidayat, 2019).

Brigadier General Makmur Supriyatno, as the actor who first appointed the Tanjung Datu Phase, thought that the Tanjung Datu Phase needed to be appointed due to inappropriate measurement techniques. So in 2001, the issue of the Tanjung Datu Phase was officially discussed at the 27th Joint Malaysia-Indonesia Boundary Committee meeting on 29-31 October 2001 in Kinabalu, Sabah, Malaysia. The Indonesian delegation was led by DR. Ir. Siti Nurbaya, MSc. as Secretary-General of the Indonesian Ministry of Home Affairs and Chairman of the Indonesian National Committee for the Indonesian-Malaysia Border. Meanwhile, the Malaysian delegation was led by Dr. Datuk. Nik Mohd. Zain bin Hj. Nik Yusuf as Secretary of the General Ministry of Land and Co-operative Development and Malaysia Chairman of the National Malaysia Indonesia Boundary Committee.

Indonesia is attempting to encompass the Tanjung Datu phase as OBP, presenting the Malaysian aspect to behavior a repeat survey within the Tanjung Datu area. So, the very last result from the Indonesian aspect is to put up 10 OBPs with five OBPs within the western quarter specifically Batu Aum, Titik D400, Mount Jagoi, Gunung Raya (together with the Tanjung Datu phase), and five OBPs within the Japanese quarter, specifically the Sinapad River, Simantipal River, Sebatik Island, Point C500-C600 and Point B. 2700- B. 3,100.

Malaysia replied to Indonesia's concept with the aid of using assuming that Malaysia simplest agreed on nine OBPs

and felt that the Tanjung Datu phase hassle was resolved with the signing of the Demarcation MOU on the Joint Indonesia Malaysia Boundary Committee on Survey and Demarcation of International Boundaries among Indonesia-Malaysia assembly in 1978. However, Istiqamah (2017) stated that the Indonesian facet insisted on asking that the troubles of the Tanjung Datu phase be mentioned withinside the subsequent assembly because of technical troubles. Malaysia regular on the situation that Indonesia made a technical aware and supplied arguments concerning the Tanjung Datu phase.

After the meeting, a written recommendation was carried out on the recommendation of the Directorate of Topography of the Indonesian Army and the order of the Minister of Home Affairs dhi. The Secretary-General of the Ministry of Home Affairs unilaterally by the Indonesian Team on the Tanjung Datu Phase. The writing was intended to be used as a consideration in the Joint Indonesia-Malaysia Boundary Committee (JIM) meeting which was held in 2002.

The writing makes use of the aerial images method, interpretation of aerial pix with the aid of using the guide and virtual means, area observations, precise measurements, use of the Global Positioning System (GPS) Geodetics, calculations of the cross-phase of the Field Plan and Traverse & Height and area measurements. All statistics and records have been then analyzed with the aid of using Indonesia to reap new evidence (novum), particularly that the land floor withinside the Tanjung Datu phase is geomorphologically flat, no watershed is found, so the technical dimension should use them directly line dimension technique (directly line boundary) and now no longer a water pass. Based on the outcomes of the writing, the measurements made have been now no longer according to the necessities as said withinside the Treaty of 1891 (Pedrason, 2016).

On 10-11 April 2002, a meeting was held between the Indonesia-Malaysia Joint Border Committee in Jakarta, namely The Special Meeting to Finalize the Terms of Reference for the Joint of Working Group on the Outstanding Boundary Problems on the Joint Demarcation and Survey of the International Boundary. between Indonesia-Malaysia. The meeting agenda discussed the Term of Reference (TOR) for the Joint of Working Group on the Outstanding Boundary Problems. The Indonesian delegation was again led by the Secretary-General of the Ministry of Home Affairs at that time, DR. Ir. Siti Nurbaya, M.Sc., and the Malaysian Delegation led by Dr. Datuk. Nik Mohd. Zain bin Hj. Nik Yusuf. According to Supriyatno (2016), during the meeting, the Indonesian aspect defined the effects of the preceding writing concerning the Tanjung Datu vicinity morphologically, the obvious vicinity which needs to be measured the usage of the immediate line boundary method and the Tanjung Datu vicinity which changed into measured in 1975 and 1976 the usage of the water by skip or leveling size method. The Malaysian aspect responds to Indonesia's factor of view via way of means of announcing that Malaysia accepts the argument that the Tanjung Datu phase is not watershed or flat, Malaysia isn't inclined to enter 'popularity of the argument' in writing to later be protected withinside the 'Record of Meeting', Malaysia is wondering why Indonesia signed it. MOUs in 1976 and 1978, after years of side effects, had been implemented, Malaysia located it tough to revoke the MOU that changed into signed withinside the Malaysian authorities device and Malaysia did now no longer comply with encompass Tanjung Datu withinside the TOR OBP (Tirtamulia, 2016).

Based on the Record of Meeting, the results of the meeting were recorded with an agreement in the form of Malaysia submitting the OBP Joint Working Group (JWG) TOR with nine (9) main border

problems (OBP), Indonesia submitting the OBP JWG TOR with 10 main border problems (OBP), Indonesia stated that Tanjung Datu was one of the OBP because there are technical problems that can be categorized as the same as other OBPs, Indonesia stated that Tanjung Datu was one of the OBPs that had to be discussed at the JWG OBP, Malaysia stated that Tanjung Datu was not an OBP, Malaysia stated that the Tanjung Datu problem had been resolved by signing the MOU On 23 August 1976 and 18 November 1978, the parties stated that there were different perceptions about the Tanjung Datu case and did not find an agreement in the TOR and Malaysia agreed to meet again in July 2002 (Supriyatno, 2016).

State border areas according to Law No.26 of 2007 and Government Regulations. 26 of 2008 is a regency/city which geographically and demographically has direct borders with neighboring countries and/or the high seas. Meanwhile, according to Law No.43 of 2008, the state border area is part of the country's territory which lies on the inside of the Indonesian territory with other countries. In the case of state boundaries on land, the border areas are in sub-districts that are directly opposite to neighboring countries. The area as the front porch which is geographically directly adjacent to other countries and has very strong inherent functions, namely:

a. The defense and security function is closely related to understanding geostrategic borders which are believed to be the embodiment of a country's political sovereignty. The meaning involved is very broad, not only providing legal certainty over the Indonesian territorial jurisdiction, but also relating to other aspects such as administrative authority, national and local governance, freedom of navigation, trade traffic, and exploration and exploitation of natural resources.

b. Welfare function. As the gateway to the State, the border region certainly has the advantage of a very strategic geographical location for dealing with neighboring countries. In this context, the border region is seen as a gateway to border economic activities. So that the border can be seen as an area of cooperation between adjacent countries to improve the welfare of the social community in the border area of the two countries.

c. Environmental function, where this function is related to the characteristics in the border area as the gate of the State which has interrelationships that influence each other with activities in other areas that have borders both in national and regional scope

These three border functions, when examined carefully, are an advantage for a country that has border areas with other countries. However, this does not apply to Indonesia, which has an area bordering Malaysia. The Indonesia-Malaysia border dispute occurred when Malaysia made claims against several islands that should have belonged to the Indonesian State, namely the Ambalat, Sipadan-Ligitan dispute, and the last one was Tanjung Datu. Theoretically, several aspects are often the reasons for a claim of an area by a State, namely:

a. Treaties, are the most common claims based on international treaties and tend to create conflict minimization and are more persuasive.

b. Geography (geography), is a classic claim based on natural boundaries.

c. Economy (economy), is a claim based on certainty for the survival or development of the country.

d. Culture (culture), is a claim based on national ethnic boundaries that include language, descent, or other cultural characteristics.

e. Effective control (effective control), is a claim based on the existence of regional administration and population.

- f. History is a claim based on determining the history of the first ownership or duration (duration of ownership).
- g. Utis posits, is a territorial claim based on the Utis political doctrine, which means that the newly independent state inherited administrative boundaries established by the colonial authorities.
- h. Elitism (elitism), is a claim based on technological capabilities.
- i. Ideology (ideology), is a claim based on identification

The Indonesia-Malaysia border dispute covers both disputes: the continental shelf boundary (continental shelf), as well as the exclusive economic zone, as well as the impact of Malaysia's unilateral claims based on the map he made unilaterally in 1979, where the map that was made unilaterally by Malaysia in 1979 was protested not only by Indonesia (1980), but also protested by Singapore, the Philippines, China, Thailand, and Vietnam. The U.K. also protested on behalf of Brunei Darussalam.

In 1967, the first time a technical meeting on maritime law was held between Indonesia and Malaysia, the two parties finally agreed, then on October 27, 1969, an agreement was signed between Indonesia and Malaysia, known as the Indonesia-Malaysia Continental Boundary Agreement. The two countries each ratified on November 7, 1969. Not long ago, still in 1969, Malaysia made a new map that included the islands of Sipadan, Ligitan, and Batu Puteh (Pedra Blanca). Of course, this confused Indonesia and Singapore and in the end, Indonesia and Singapore did not recognize the new map of Malaysia. Then on March 17, 1970, the Agreement on the Indonesian and Malaysian Sea Boundaries was again signed. After releasing the map of Malaysia in 1979, Indonesia protested in 1980.

The aspect of defense and security in border areas is indicated by the wide characteristics of the area of guidance and the pattern of population distribution that

is not evenly distributed, making the span of government control difficult to implement, and territorial supervision and development difficult to carry out steadily and efficiently.

According to Tirtamulia (2016) stated that the understanding of National Resilience is divided into 2 (two), namely:

a. National Resilience at Sea

National Resilience can be handled properly by the Indonesian nation, so a condition called national resilience has been achieved. To achieve this state, there is an understanding called geostrategy in general, geostrategy is an effort to strengthen. resilience in various fields, namely the fields of ideology, politics, economy, social, culture, military, religious life, and development.

b. National Resilience Stability

Every nation has lofty and beautiful ideals to be achieved which are commonly known as national goals. In the effort to achieve this national goal, every nation will face challenges, threats, and disturbances that must be addressed. For this reason, a nation must have the strength, capability, endurance, and resilience which is called national resilience.

Seeing the condition of defense and security in the border area which is very apprehensive, the suggested efforts to be carried out are as follows:

- a. Increase the number and increase the capacity and empowerment of security forces stationed in the land and sea border areas.
- b. Completing the settlement of border delineation problems and other crucial problems that often occur inland border areas such as traditional border crossers from both countries, a collaboration between border residents and smugglers from neighboring countries for evil acts such as illegal logging, illegal mining, human trafficking, smuggling, and others.
- c. Increase the number of border

- residents, especially in strategic locations, crime-prone areas, and remote islands.
- d. Changing the paradigm and viewpoint that so far views and treats border areas as periphery areas to become frontier areas.
 - e. Increase the portion of national geography lessons, including Indonesian maritime geography, to the education curriculum from Elementary school level (SD) and High school level (SMP and SMU).
 - f. Developing legal products, regulations, and legislation regarding the problems of border areas, both land, and sea as well as border agreements between Indonesia and neighboring countries in dealing with trans-border crimes such as smuggling, human trafficking, and terrorism.
 - g. The involvement of various parties (stakeholders) from the government and society to build togetherness and unity in facing all forms of threats and security disturbances and armed and non-armed crimes.

It cannot be denied that the people who live, grow and develop in border areas are mostly simple and adhere to a pattern of social relations bound by traditional culture. Therefore, the impact of this reality is that only a few of these border communities understand the science and technology, and culture that develops outside the border area. Only people who have a more decent economic life understand science and technology and the development of the outside world, that is, those who have a good education and have adequate means of communication and technology, such as television, radio, mobile phones, and motorized vehicles.

They usually have higher mobility than other communities and have activities outside the border area because they live in the vicinity of access to neighboring areas. Meanwhile, economically weak communities who are isolated from education, science and technology, and

outside culture can easily be exploited by residents of neighboring countries (in this case Malaysia) to work for them as loggers in the territory of the State of Indonesia who are deposited with Malaysia. This condition is a small part of the exploitation that occurs by Malaysia of Indonesia's human and natural resources. It can be imagined how big the losses suffered by Indonesia were due to the lack of reach of the central government towards the border areas of our country.

The various losses experienced by Indonesia as a result of Malaysia's acquisition of Indonesian islands in the border area should be taken more seriously. One of the actions that show the seriousness of the Indonesian government to protect the archipelago, especially in the border area, is by conducting foreign political relations with neighboring countries that have direct borders with Indonesia, including Malaysia. This will improve the performance of Indonesia's foreign policy by providing security and defense guarantees for islands in the Indonesian border area. The foreign policy carried out by Indonesia, in the opinion of the author, includes the following:

- a. Arranging various international agreements related to the protection of territories, natural resources, and human resources in border areas. The resolution of border problems is difficult to measure quantitatively because it involves the legal, political, technical aspects, and national interests of each country. Therefore, what is considered the most significant in measuring the level of progress in solving the border problem is the number of border negotiations that have been carried out. Such measurements are carried out considering because. To be able to hold negotiations, agreement and willingness of both parties are needed, so that a diplomatic performance is needed through a diplomatic approach to be able to invite partner countries to initiate and/or

continue negotiations. In addition, given the political policy aspects of each country in the implementation of border negotiations, in addition to the legal and technical aspects, the performance of the implementation of foreign relations can also be measured by the number of border negotiations that have been held.

- b. Carry out border diplomacy to accelerate the resolution of Indonesia's border problems with neighboring countries, including land, sea, and air borders. The resolution of border problems is very important to maintain the security and territorial integrity of Indonesia. Border diplomacy (border diplomacy) is a form of implementation of internal foreign policy.
- c. The framework of delimitation and confirmation (demarcation) of boundaries as well as international cooperation in the handling of problems and management of national borders in the three dimensions of sea, land, and air territories. Efforts to determine state boundaries carried out by the Government of the Republic of Indonesia constitute a constitutional order and are carried out by international law and applicable national laws and regulations.
- d. Conducting negotiations with neighboring countries to determine the boundaries of the State's territory. By law, Indonesia has a strong basis for negotiating maritime boundaries with neighboring countries. However, in practice, negotiations with neighboring countries to determine national borders are not easy. The existence of differences in legal views regarding the provisions for delineation between Indonesia and neighboring countries is one of the things that becomes an obstacle.

CONCLUSIONS, RECOMMENDATION AND LIMITATION

Legal products issued by Indonesia solely to protect the archipelago by determining state boundaries. This shows the extent of Indonesia's sovereignty and constitutional territory where the law in the area is the law that applies by the constitution and laws of the territory of the Republic of Indonesia. To exercise the sovereignty of the Republic of Indonesia, the Government is the main instrument in controlling the entire territory of the Republic of Indonesia in guarding the borders, which has absolute authority in maintaining and maintaining the integrity of the Indonesian state boundaries from all threats, both from within and from outside the Republic of Indonesia. To overcome these various threats, the Indonesian government can do various ways, namely by (1) Strengthening the aspects of defense and security by providing strong security on the outer islands, (2) Strengthening aspects of science and technology, and (3) Strengthening aspects of foreign policy by increasing foreign cooperation with neighboring countries, especially with Malaysia.

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